

UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA  
OFFICE OF THE CLERK  
[www.ned.uscourts.gov](http://www.ned.uscourts.gov)

Denise M. Lucks  
Clerk of Court

M. Therese Bollerup  
Chief Deputy Clerk

May 22, 2008

USDC- Northern District of California  
450 Golden Gate Avenue  
16<sup>th</sup> Floor  
San Francisco, CA 94102

**FILED**

MAY 28 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

Re: **Ira Haley**  
USDC-NE 8:01CR152  
USDC-CA

*08-291-SBA*

Dear Clerk:

Pursuant to the transfer order filed in our court on May 16, 2008, the probation/supervision of the above-mentioned individual is transferred to the Northern District of California.

Enclosed are the following documents along with a certified copy of the updated docket sheet:

1. Certified copy of the Indictment;
2. Certified copy of the Judgment & Commitment Order (with conditions of supervision);
3. Certified copy of the Amended Judgment & Commitment Order (with conditions of supervision);
4. Transfer of Jurisdiction Order.

Please acknowledge receipt of these documents at the bottom of this letter as indicated and return it to the office. Thank you for your assistance.

Sincerely,

DENISE M. LUCKS, Clerk

By: s/ Kamala B. Jewett  
Deputy Clerk

Enclosures

cc: Chief Probation Officer - NE (without enclosures)  
Chief Probation Officer - CA (without enclosures)

The above-referenced documents were received by the U.S. District Court for the Northern District of California on \_\_\_\_\_ by \_\_\_\_\_.

Date Signature

Receiving Court's Assigned Case No: \_\_\_\_\_

111 South 18th Plaza, Suite 1152  
Omaha, NE 68102-1322  
(402) 661-7350  
Fax: (402) 661-7387  
Toll Free: (866) 220-4381

100 Centennial Mall North, Room 593  
Lincoln, NE 68508-3803  
(402) 437-5225  
Fax: (402) 437-5651  
Toll Free: (866) 220-4379

Case: 8:01-cr-00152-JFB-FG3 Document #: 137 Date Filed: 05/16/2008 Page 1 of 1

E-filing

PROB 22

Docket No. (Transferring Court) 8:01CR152-002  
Docket No. (Receiving Court)**TRANSFER OF JURISDICTION**

CR08-0291

Name and Address of Probationer/Supervised Releasee:  
Ira HaleyDistrict: **Nebraska**Division: **Omaha**Name of Sentencing Judge: The Honorable Joseph F. Bataillon  
Chief U.S. District JudgeDates of Probation/Supervised Release - From: July 23, 2007  
To: July 22, 2012Offense: Conspiracy to Possess with Intent to Distribute Cocaine Base  
[21 U.S.C. 841(a)(1) and 846]**PART 1 - ORDER TRANSFERRING JURISDICTION**

United States District Court for the District of Nebraska

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the Northern District of California upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.

Date

4/15/08

*Joseph F. Bataillon*  
The Honorable Joseph F. Bataillon  
Chief U.S. District Judge

**PART 2 - ORDER ACCEPTING JURISDICTION**

United States District Court for the Northern District of California

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer or supervised releasee be accepted and assumed by this Court from and after the entry of this order.

MAY - 2 2008

Effective Date

*Christine*  
United States District Judge

I certify this to be a true copy of  
the original record in my custody.

OFFICE OF THE CLERK

By *Kamala Davis*  
Deputy Clerk

ORIGINAL  
FILED  
MAY - 5 2008  
RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SBA

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U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
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OAKLAND  
08 MAY 16 PM 2:2008 MAY -2 PM 3:37

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U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

W JUN 21 2001 S NP

FILED  
U. S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
01 JUN 20 PM 2:47  
GARY D. McFARLAND  
CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLO GREENE,  
IRA HALEY, and  
DEMETRIUS BARKER, a.k.a. Dante,

Defendants.

8:01CR 152

INDICTMENT

21 U.S.C. § 846

21 U.S.C. §§ 841(a)(1) & (b)(1)

**JUDGE BATAILLON**

**MAGISTRATE JUDGE  
JAUDZEMIS**

The Grand Jury Charges:

COUNT I

From an unknown date but at least May 27, 2001, through May 28, 2001, CHARLO GREENE, IRA HALEY, and DEMETRIUS BARKER, a.k.a. Dante, Defendants herein, did willfully and knowingly, combine, conspire, confederate and agree together and with other persons, both known and unknown to the grand jury, to distribute and possess with intent to distribute 500 grams or more of cocaine powder and 50 grams or more of a mixture or substance containing a detectable amount of cocaine base (i.e., crack cocaine), Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1).

In violation of Title 21, United States Code, Section 846.

I certify this to be a true copy of  
the original record in my custody.

OFFICE OF THE CLERK

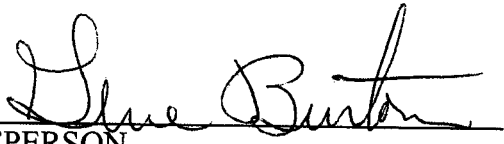
By Kamala B. Smith  
Deputy Clerk

COUNT II

On or about May 28, 2001, in the District of Nebraska, CHARLO GREENE and IRA HALEY, Defendants herein, did knowingly and intentionally possess with intent to distribute 500 grams or more of cocaine powder, a Schedule II controlled substance.


In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1).

A TRUE BILL:

  
FOREPERSON

  
MICHAEL G. HEAVICAN  
United States Attorney

The United States of America requests that trial of this case be held at Omaha, Nebraska, pursuant to the rules of this Court.

  
NANCY A. SVOBODA  
Assistant U.S. Attorney

UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKAUNITED STATES OF AMERICA  
Plaintiff

v.

Case Number 8:01CR152

IRA D. HALEY

Defendant

Mark Bubak  
Defendant's AttorneyJUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)

THE DEFENDANT pleaded guilty to count I of the Indictment.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 U.S.C. 841(a)(1) and 846	Conspiracy to Possess with Intent to Distribute Cocaine Base	May 28, 2001	1

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Count II of the Indictment is dismissed on the motion of the United States as to this defendant only.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No. 573-57-6981  
Defendant's Date of Birth: February 23, 1978  
Dft's U.S. Marshal No.: 17210-047Date of Imposition of Sentence:  
February 8, 2002Defendant's Residence Address:  
1316 Campbell St.  
Oakland, CA 94607Defendant's Mailing Address:  
SameJOSEPH F. BATAILLON  
UNITED STATES DISTRICT JUDGEI certify this to be a true copy of  
the original record in my custody.

March 6, 2002

OFFICE OF THE CLERK

By Kamala Boudh  
Deputy Clerk

92

Defendant: IRA D. HALEY  
Case Number: 8:01CR152

Page 2 of 6

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **210 Months**.

The Court makes the following recommendations to the Bureau of Prisons:

1. That the defendant participate in the 500-hour Comprehensive Drug Treatment Program or any similar drug treatment program available.
2. That the defendant be incarcerated at the federal facility at **Atwater, CA or as close to Oakland, CA** as possible.

The defendant is remanded to the custody of the United States Marshal.

### ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant

### RETURN

It is hereby acknowledged that the defendant was delivered on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES WARDEN

By: \_\_\_\_\_

**NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt , above.**

### CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES WARDEN

By: \_\_\_\_\_

## **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of **5 years**

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two period drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with any additional conditions.

## **STANDARD CONDITIONS OF SUPERVISION**

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;

Defendant: IRA D. HALEY  
Case Number: 8:01CR152

Page 4 of 6

11. The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.



Defendant: IRA D. HALEY  
Case Number: 8:01CR152

Page 5 of 6

### **SPECIAL CONDITIONS OF SUPERVISION**

1. Defendant shall be subject to the search of the defendant's premises, vehicle or person, day or night, with or without a warrant, at the request of the U.S. Probation Officer to determine the presence of alcohol and/or controlled substances, firearms or any other contraband. Any such items found may be seized by the U.S. Probation Officer. This condition may be invoked with or without the cooperation of law enforcement officers.
2. The defendant shall attend, pay for and successfully complete any diagnostic evaluation, treatment or counseling program, or approved support groups (e.g., AA/NA) for alcohol and/or controlled substance abuse, as directed by the U.S. Probation Officer.
3. Defendant shall provide the U.S. Probation Officer with access to any requested financial information.
4. Defendant shall participate in the District of Nebraska Victim Awareness Program as directed by the U. S. Probation Officer.
5. Pursuant to 18 U.S.C. § 3583 (d), defendant shall submit to a drug test within fifteen (15) days of release on Supervised Release and at least two (2) periodic drug tests thereafter to determine whether the defendant is using a controlled substance. Further, defendant shall submit to such testing as requested by any U.S. Probation Officer to detect the presence of alcohol or controlled substances in the defendant's body fluids and to determine whether the defendant has used any of those substances. Defendant shall pay for the collection of urine samples to be tested for the presence of alcohol and/or controlled substances.
6. Defendant shall report to the Supervision Unit of the U.S. Probation Office for the District of Nebraska between the hours of 8:00am and 4:30pm, 111 South 18<sup>th</sup> Plaza, Suite C79, Omaha Nebraska, (402) 661-7555, within seventy-two (72) hours of release from confinement.

Defendant: IRA D. HALEY  
Case Number: 8:01CR152

Page 6 of 6

### CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

**Total Assessment****\$100.00****Total Fine****.00****Total Restitution****.00**

The Court has determined that the defendant does not have the ability to pay interest and it is ordered that:

#### FINE

No fine imposed.

#### RESTITUTION

No Restitution was ordered.

### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay; payment of the total criminal monetary penalties shall be due as follows:

Lump sum payment of \$ 100.00 due immediately, balance due

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer or the United States attorney.

All financial penalty payments are to be made to the Clerk of Court for the District of Nebraska, 111 S. 18<sup>th</sup> Plaza, Suite 1152, Omaha, NE 68102-1322.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

---

CLERK'S OFFICE USE ONLY:

I certify this to be a true copy of the record in my custody.

GARY D. MCFARLAND, CLERK

By \_\_\_\_\_

92

UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA  
Plaintiff

v.

Case Number 8:01CR152

IRA D. HALEY

Defendant

Mark Bubak  
Defendant's Attorney

**AMENDED JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed On or After November 1, 1987)

DATE OF ORIGINAL JUDGMENT: February 8, 2002

[X] Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))

THE DEFENDANT pleaded guilty to count I of the Indictment.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 U.S.C. 841(a)(1) and 846	Conspiracy to Possess with Intent to Distribute Cocaine Base	May 28, 2001	I

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Count II of the Indictment is dismissed on the motion of the United States as to this defendant only.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No. 573-57-6981  
Defendant's Date of Birth: February 23, 1978  
Dft's U.S. Marshal No.: 17210-047

Date of Imposition of Sentence:  
December 17, 2002

Defendant's Residence Address:  
1316 Campbell St.  
Oakland, CA 94607

Defendant's Mailing Address:  
Same

s/Joseph F. Bataillon  
JOSEPH F. BATAILLON  
UNITED STATES DISTRICT JUDGE

I certify this to be a true copy of  
the original record in my custody.

December 17, 2002

OFFICE OF THE CLERK

By   
Deputy Clerk

Defendant: IRA D. HALEY  
Case Number: 8:01CR152

Page 2 of 6

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **72 Months**.

The Court makes the following recommendations to the Bureau of Prisons:

1. That the defendant participate in the 500-hour Comprehensive Drug Treatment Program or any similar drug treatment program available.
2. That the defendant be incarcerated at the federal facility in **Memphis, Tennessee**, if possible.

The defendant is remanded to the custody of the United States Marshal.

### ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant

### RETURN

It is hereby acknowledged that the defendant was delivered on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES WARDEN

By: \_\_\_\_\_

**NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt , above.**

### CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES WARDEN

By: \_\_\_\_\_

Defendant: IRA D. HALEY  
Case Number: 8:01CR152

Page 3 of 6

## **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of **5 years**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two period drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with any additional conditions.

## **STANDARD CONDITIONS OF SUPERVISION**

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the

Defendant: IRA D. HALEY  
Case Number: 8:01CR152

Page 4 of 6

- probation officer;
11. The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
  12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
  13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: IRA D. HALEY  
Case Number: 8:01CR152

Page 5 of 6

### **SPECIAL CONDITIONS OF SUPERVISION**

1. Defendant shall be subject to the search of the defendant's premises, vehicle or person, day or night, with or without a warrant, at the request of the U.S. Probation Officer to determine the presence of alcohol and/or controlled substances, firearms or any other contraband. Any such items found may be seized by the U.S. Probation Officer. This condition may be invoked with or without the cooperation of law enforcement officers.
2. The defendant shall attend, pay for and successfully complete any diagnostic evaluation, treatment or counseling program, or approved support groups (e.g., AA/NA) for alcohol and/or controlled substance abuse, as directed by the U.S. Probation Officer.
3. Defendant shall provide the U.S. Probation Officer with access to any requested financial information.
4. Defendant shall participate in the District of Nebraska Victim Awareness Program as directed by the U. S. Probation Officer.
5. Pursuant to 18 U.S.C. § 3583 (d), defendant shall submit to a drug test within fifteen (15) days of release on Supervised Release and at least two (2) periodic drug tests thereafter to determine whether the defendant is using a controlled substance. Further, defendant shall submit to such testing as requested by any U.S. Probation Officer to detect the presence of alcohol or controlled substances in the defendant's body fluids and to determine whether the defendant has used any of those substances. Defendant shall pay for the collection of urine samples to be tested for the presence of alcohol and/or controlled substances.
6. Defendant shall report to the Supervision Unit of the U.S. Probation Office for the District of Nebraska between the hours of 8:00am and 4:30pm, 111 South 18<sup>th</sup> Plaza, Suite C79, Omaha Nebraska, (402) 661-7555, within seventy-two (72) hours of release from confinement.

Defendant: IRA D. HALEY  
Case Number: 8:01CR152

Page 6 of 6

### CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

**Total Assessment**

**\$100.00**

**Total Fine**

**.00**

**Total Restitution**

**.00**

The Court has determined that the defendant does not have the ability to pay interest and it is ordered that:

#### FINE

No fine imposed.

#### RESTITUTION

No Restitution was ordered.

### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay; payment of the total criminal monetary penalties shall be due as follows:

Lump sum payment of \$ 100.00 due immediately, balance due

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer or the United States attorney.

All financial penalty payments are to be made to the Clerk of Court for the District of Nebraska, 111 S. 18<sup>th</sup> Plaza, Suite 1152, Omaha, NE 68102-1322.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

---

CLERK'S OFFICE USE ONLY:

I certify this to be a true copy of the record in my custody.

GARY D. MCFARLAND, CLERK

By \_\_\_\_\_



CLOSED

**U.S. District Court  
District of Nebraska (8 Omaha)  
CRIMINAL DOCKET FOR CASE #: 8:01-cr-00152-JFB-FG3-2  
Internal Use Only**

Case title: USA v. Greene, et al

Date Filed: 07/11/2001

Date Terminated: 03/06/2002

Assigned to: Chief Judge Joseph F.  
Bataillon  
Referred to: Magistrate Judge F. A.  
Gossett

I certify this to be a true copy of  
the original record in my custody.

OFFICE OF THE CLERK

By Kamala D. Smith  
Deputy Clerk

**Defendant (2)****Ira Haley****TERMINATED: 03/06/2002**represented by **Mark W. Bubak**

1216 North 101st Circle

Omaha, NE 68114

(402) 934-9250

Fax: (402) 384-9799

Email: markb294@cox.net

**TERMINATED: 03/06/2002****ATTORNEY TO BE NOTICED****Designation: CJA Appointment****Pending Counts**

21:846 Conspiracy to possess with  
intent to distribute cocaine and crack  
cocaine

(1)

**Disposition**

dft pleaded guilty to count I of the  
Indictment and is committed to the  
custody of the BOP for 210 months; 5  
years SR w/ special conditions; \$100  
SA

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

21:841(a)(1) & (b)(1) Possession with  
intent to distribute powder cocaine

(2)

**Disposition**

Count II of the Indictment is dismissed  
on the motion of the USA as to this dft  
only

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition****Plaintiff****United States of America**

represented by **Nancy A. Svoboda**  
ASSISTANT UNITED STATES  
ATTORNEY - OMAHA  
1620 Dodge Street  
Suite 1400  
Omaha, NE 68102-1506  
(402) 661-3700  
Fax: (402) 345-5724  
Email: Nancy.Svoboda@usdoj.gov  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/20/2001	1	INDICTMENT (FILED UNDER SEAL ON 06/20/01, UNSEALED ON 07/11/01) by US Attorney naming Charlo Greene (1) Ira Haley (2) and Demetrius Barker (3) to count 1 in violation of 21:846 Conspiracy to possess with intent to distribute cocaine and crack cocaine and naming Charlo Greene and Ira Haley to count 2 in violation of 21:841(a)(1) & (b) (1) Possession with intent to distribute powder cocaine with request for trial at Omaha, NE (DKM) (Entered: 07/11/2001)
06/20/2001		(Court only) Docket Modification (Utility Event) case referred to Magistrate Judge Kathleen A. Jaudzemis as to defendant Charlo Greene, defendant Ira Haley, defendant Demetrius Barker (DKM) (Entered: 07/11/2001)
06/21/2001		ARREST Warrants issued by Deputy Clerk for Charlo Greene, Ira Haley and Demetrius Barker (DKM) (Entered: 07/11/2001)
07/11/2001	2	NOTICE (MEMORANDUM) TO UNSEAL CASE by USA on 7/11/01 - case unsealed as to dfts Greene, Haley and Barker (DKM) (Entered: 07/11/2001)
07/18/2001	4	ORDER by Magistrate Judge Kathleen A. Jaudzemis that Mark Bubak is appointed as attorney of record for the above name dft; the FPD's office shall provide counsel w/ draft appointment order; at the time of jgm, dft shall file a current counsel's fees and expenses should be reimbursed by dft; the Clerk shall provide a copy of this order to the FPD and Mr. Bubak as to defendant Ira Haley appointing atty Mark W. Bubak as to defendant Ira Haley - COPIES MAILED as directed (MKR) (Entered: 07/20/2001)
07/18/2001	9	ORDER FOR THE PROGRESSION OF A CRIMINAL CASE by Magistrate Judge Kathleen A. Jaudzemis - pretrial motions due 8/7/01 -

		discovery due 7/25/01 - jury trial set for 9:00 8/27/01 for Charlo Greene, for Ira Haley - COPIES HANDED OUT IN COURTROOM (JLS) (Entered: 07/20/2001)
07/18/2001	10	MINUTES: before Magistrate Judge Kathleen A. Jaudzemis - Court Reporter: Electronic Recorder initial appearance of Ira Haley Attorney present ; dft Ira Haley arraigned; plea entered: Not Guilty, Attorney present ; govt's oral mtn for detention pending; dft requests material pursuant to rule 16; govt does not adopt an open file policy; detention hrg to be set by court; dft remanded to custody of the USM to be detained pending further order of the court as to Ira Haley (JLS) (Entered: 07/20/2001)
07/18/2001	11	ATTORNEY APPEARANCE for defendant Ira Haley by attorney Mark Bubak (JLS) (Entered: 07/20/2001)
07/18/2001	12	RECEIPT by defendant Ira Haley of receiving a copy of the indictment (JLS) (Entered: 07/20/2001)
07/18/2001	13	ORDER by Magistrate Judge Kathleen A. Jaudzemis that dft's oral mtn for rule 16 discovery is granted and dft is ordered to provide reciprocal discovery to the govt pursuant to the rules as to defendant Ira Haley - COPIES HANDED OUT IN COURT (JLS) (Entered: 07/20/2001)
07/20/2001	14	ORDER by Magistrate Judge Kathleen A. Jaudzemis - in court hearing set for 10:30 7/23/01 for Ira Haley as to defendant Ira Haley - COPIES MAILED (TJS) (Entered: 07/20/2001)
07/23/2001	17	RULE 40 AFFIDAVIT (from USDC-Northern District of CA 3:01-30271) of Sandra J. Maier by plaintiff USA; with attached warrant from District of NE (DKM) Modified on 07/24/2001 (Entered: 07/24/2001)
07/23/2001	19	MINUTES: before Magistrate Judge Kathleen A. Jaudzemis - Court Reporter: Electronic Recorder as to defendant Ira Haley; detention hearing held; dft remanded to custody of USM; matter taken under advisement; written order forthcoming (KMG) (Entered: 07/25/2001)
07/23/2001	20	WITNESS LIST from hearing held on 7/23/2001 as to defendant Ira Haley (KMG) (Entered: 07/25/2001)
07/25/2001	21	ORDER of Detention pending trial; govt's mtn for detention is granted on the dual bases of flight risk and danger; dft is committed to the custody of the Atty General; dft shall be afforded a reasonable opportunity for private consultation w/defense counsel; upon order of a US court the USM shall deliver the dft for the purpose of an appearance in connection w/a court proceeding, by Magistrate Judge Kathleen A. Jaudzemis as to Ira Haley - COPIES MAILED (JAE) (Entered: 07/25/2001)
08/03/2001	22	TRANSCRIPT of proceedings for the following date(s): 7/23/01 re: minute entry [19-1] - number of pages: 32 as to defendant Ira Haley (ORIGINAL IN SEPARATE FOLDER) (TJS) (Entered: 08/06/2001)
08/17/2001	30	ORDER FOR THE PROGRESSION OF A CRIMINAL CASE by Magistrate Judge Kathleen A. Jaudzemis - pretrial motions due 09/06/01 - discovery due 08/24/01 - jury trial set for 9:00 on 10/1/01 for Demetrius

		Barker - COPIES HANDED OUT IN COURT (DKM) Modified on 08/20/2001 (Entered: 08/20/2001)
08/24/2001	31	SEALED (MKR) (Entered: 08/27/2001)
09/06/2001	32	MOTION by defendant Ira Haley to suppress evidence and statement (TJS) (Entered: 09/07/2001)
09/06/2001	33	MOTION by defendant Ira Haley to produce (TJS) (Entered: 09/07/2001)
09/07/2001	34	ORDER by Magistrate Judge Kathleen A. Jaudzemis that the motion to produce [33-1] and the mtn to suppress evidence and statement [32-1] are set for hrg at 9:30 on 9/24/01 as to defendant Ira Haley - COPIES MAILED (DKM) (Entered: 09/07/2001)
09/13/2001	35	SEALED (JAE) (Entered: 09/13/2001)
09/18/2001	36	MOTION by plaintiff USA to continue as to Charlo Greene, Ira Haley and Demetrius Barker (MKR) (Entered: 09/19/2001)
09/21/2001	37	ORDER by Magistrate Judge Kathleen A. Jaudzemis denying motion to continue [36-1] as to plaintiff USA - COPIES MAILED (TJS) (Entered: 09/21/2001)
09/24/2001	38	MOTION by defendant Ira Haley to continue hearings on motions scheduled for 9/24/01 (MKR) (Entered: 09/24/2001)
09/24/2001	39	AFFIDAVIT of Ira Haley by defendant Ira Haley re [38-1] (MKR) (Entered: 09/24/2001)
09/25/2001	40	ORDER by Magistrate Judge Kathleen A. Jaudzemis that the motion to continue [38-1] is granted; the motion to produce [33-1] and the motion to suppress evidence and statement [32-1] is set for hearing at 9:00 on 10/1/01; the time between 09/06/01 and 10/01/01 shall be deemed excludable under the Speedy Trial Act as to defendant Ira Haley - COPIES MAILED (DKM) (Entered: 09/25/2001)
09/25/2001	41	SEALED (JSF) (Entered: 09/25/2001)
09/25/2001	42	SEALED (JSF) (Entered: 09/25/2001)
09/28/2001	43	MOTION by defendant Ira Haley to withdraw his motions to suppress evidence and statements [32-1] and motion to produce [33-1] and for other relief the court deems just (MKR) (Entered: 09/28/2001)
10/01/2001	44	ORDER by Magistrate Judge Kathleen A. Jaudzemis granting motion to withdraw his motions to suppress evidence and statements [32-1] and motion to produce [33-1] [43-1]; withdrawing motion to suppress evidence and statement and [32-1]; withdrawing motion to produce [33-1]; the evidentiary hearing scheduled for Monday, 10/1/01 is hereby cancelled as to defendant Ira Haley - COPIES MAILED (MKR) (Entered: 10/01/2001)
10/01/2001	45	SEALED (MKR) (Entered: 10/02/2001)
10/03/2001	46	ORDER SETTING CASE FOR TRIAL by Magistrate Judge Thomas D.

		Thalken - jury trial set for 8:30 a.m. on 10/29/01 for Charlo Greene, for Ira Haley and for Demetrius Barker as to defendant Charlo Greene, defendant Ira Haley, defendant Demetrius Barker - COPIES MAILED (MKR) (Entered: 10/03/2001)
10/09/2001	47	SEALED (MKR) (Entered: 10/10/2001)
10/23/2001	49	SEALED (JSF) (Entered: 10/23/2001)
10/24/2001	50	ORDER by Judge Joseph F. Bataillon - change of plea hearing set for 9:30 on 11/8/01 for Ira Haley as to defendant Ira Haley - COPIES MAILED (JSF) (Entered: 10/24/2001)
10/25/2001	51	PETITION to enter plea of guilty by defendant Ira Haley; with attached plea agreement (JSF) (Entered: 10/25/2001)
10/29/2001	53	ORDER by Judge Joseph F. Bataillon - change of plea hearing set for 10:00 on 10/30/01 for Charlo Greene - COPIES MAILED (DKM) (Entered: 10/29/2001)
10/29/2001	54	SEALED (DKM) (Entered: 10/29/2001)
10/29/2001	55	SEALED (DKM) (Entered: 10/29/2001)
10/29/2001	56	ORDER by Magistrate Judge Thomas D. Thalken that Barker's motion to continue trial [52-1] is granted; - jury trial set for 11/26/01 for Demetrius Barker ; the time between 10/29/01 and 11/26/01 is deemed excludable under the Speedy Trial Act; the USM shall cause Barker to be housed in a detention facility in the Omaha area on or before 11/9/01 where Barkder shall remain until the trial or a plea in this matter - COPIES MAILED (DKM) (Entered: 10/29/2001)
10/31/2001	59	SEALED (DKM) (Entered: 10/31/2001)
11/02/2001		(Court only) (Utility Event) - Terminating 10/29/01 jury trial Deadlines (KMG) (Entered: 11/02/2001)
11/07/2001	61	ORDER by Judge Joseph F. Bataillon that a change of plea has been rescheduled - change of plea hearing set for 9:30 a.m. on 11/21/01 for Ira Haley as to defendant Ira Haley - COPIES MAILED (MKR) (Entered: 11/07/2001)
11/21/2001	66	MINUTES: before Judge Joseph F. Bataillon - Court Reporter: Sue DeVetter; dft withdraws plea of not guilty as to Ct I of the Indictment; guilty plea entered as to Ct I; , plea accepted; plea agreement not approved pending review of PSR; PSI requested - sentencing set for 1:00 p.m. 2/8/02 ; dft remanded to the custody of the USM as to defendant Ira Haley (NCD) (Entered: 11/21/2001)
11/21/2001	67	ORDER ON SENTENCING SCHEDULE by Judge Joseph F. Bataillon - sentencing set for 1:00 p.m. 2/8/02 as to defendant Ira Haley - COPIES MAILED (NCD) (Entered: 11/21/2001)
01/23/2002	79	ADOPTION of Presentence Report by defendant Ira Haley as to defendant Ira Haley (MKR) (Entered: 01/24/2002)



02/05/2002	80	ADOPTION of Presentence Report by plaintiff USA as to defendant Ira Haley (MKR) (Entered: 02/05/2002)
02/08/2002	81	MINUTES: before Judge Joseph F. Bataillon - Court Reporter: Brenda Fauber; dft sentenced on Ct I to 210 Months BOP; 5 years supervised release; \$100.00 special assessment; govt's mtn to dismiss Count II is granted; plea and plea agreement accepted; dft remanded to the custody of the USM as to defendant Ira Haley (NCD) (Entered: 02/08/2002)
02/08/2002	82	EXHIBIT LIST from hearing held on 2/8/02 as to defendant Ira Haley (NCD) (Entered: 02/08/2002)
03/04/2002	90	SEALED (MKR) (Entered: 03/05/2002)
03/06/2002	91	SEALED (MKR) (Entered: 03/06/2002)
03/06/2002	92	JUDGMENT and COMMITMENT regarding minutes [81-1]; sentencing Ira Haley (2) count 1. dft pleaded guilty to count I of the Indictment and is committed to the custody of the BOP for 210 months; 5 years SR w/ special conditions; \$100 SA , Ira Haley (2) count Count II of the Indictment is dismissed on the motion of the USA as to this dft only by Judge Joseph F. Bataillon - COPIES MAILED (MKR) (Entered: 03/06/2002)
03/08/2002	94	SEALED (TJS) (Entered: 03/08/2002)
03/28/2002	98	SEALED (TJS) (Entered: 03/29/2002)
05/01/2002	99	CJA Form 20 (Attorney Payment Voucher) for Ira Haley (TJS) (Entered: 05/02/2002)
05/21/2002	101	JUDGMENT and Commitment returned executed as to defendant Ira Haley (ADB) (Entered: 05/21/2002)
09/05/2002	104	ORDER by Judge Joseph F. Bataillon pursuant to NELR 79.1(c) and the Standing Order Regarding Custody of Criminal Exhibits-Post trial all exhibits offered by attorneys shall be withdrawn as soon as possible, but not later than 10 days as to defendant Ira Haley - COPIES MAILED (NCD) (Entered: 09/05/2002)
12/04/2002	<u>105</u>	MOTION for Hearing <i>on Rule 35</i> by Attorney Nancy A. Svoboda as to defendant(s) Charlo Greene, Ira Haley, Demetrius Barker. (Svoboda, Nancy) (Entered: 12/04/2002)
12/06/2002	<u>107</u>	ORDER setting for hearing <u>105</u> Motion for Rule 35 Hearing on 12/17/2002 at 8:30 a.m. as to Charlo Greene (1), and Ira Haley (2). Signed by Judge Joseph F. Bataillon on 12/6/2002. (SMS, ) (Entered: 12/06/2002)
12/06/2002		(Court only) Set/Reset All Hearings as to defendant(s) Charlo Greene, Ira Haley Rule 35 Hearing set for 12/17/2002 08:30 AM in Courtroom 3 (Omaha) before Judge Joseph F. Bataillon. (SMS, ) (Entered: 12/06/2002)
12/17/2002	<u>115</u>	Minute Entry for proceedings held before Judge Joseph F. Bataillon as to defendant(s) Ira Haley.Rule 35(b) Motion Hearing held on 12/17/2002; defendant sentenced to 72 Months BOP; 5 years supervised release (same terms and conditions as previously ordered). (Court Reporter Allan G.

		Kuhlman) (NCD, ) (Entered: 12/17/2002)
12/17/2002	<u>117</u>	AMENDED JUDGMENT as to Ira Haley; defendant pleaded guilty to count I of the indictment and is committed to the custody of the BOP for 72 months; 5 years Supervised Release with special conditions; \$100 Special Assessment. Signed by Judge Joseph F. Bataillon on 12/17/2002. (MKR, ) (Entered: 12/18/2002)
02/03/2003		DEFENDANT'S EXHIBITS destroyed on 2/3/03 by Clerk of Court as to defendant(s) Ira Haley (from hearing held 2/8/02). THIS IS A TEXT ONLY ENTRY. A PDF DOCUMENT IS NOT ATTACHED TO THIS ENTRY. (NCD, ) (Entered: 02/03/2003)
02/06/2003		NOTICE by Clerk - it has been brought to our attention that terminated attorneys are not receiving e-mail notices. After consultation with the Administrative Office (AO), the clerk's office was advised that a local change was not made to the CM/ECF software when a new release was loaded on December 11, 2002. On February 5, 2003, the required change was made, and all terminated attorneys now receive electronic notice. The next release of the software, which is scheduled to be released to the courts in March 2003, will allow terminated attorneys to remove electronic notice on a case-by-case basis. The docket sheet reflects the following document (s) filed in this case between December 11, 2002 and February 5, 2003: 112 , 113 , 114 , <u>115</u> , 121 , 122 , 123 , 109 , 124 , 116 , 110 , 111 , <u>117</u> . The Notice(s) of Electronic Filing erroneously reflect(s) that notice was sent to the terminated attorney(s) in this case. In the event a terminated attorney needs a copy of the above-referenced document(s), please contact the Help Desk in Omaha at 1-866-220-4381, option 0 or Lincoln at 1-866-220-4379, option 2. (JAR, ) (Entered: 02/06/2003)
02/07/2003	<u>125</u>	Amended Judgment Returned Executed as to Ira Haley (MKR, ) (Entered: 02/10/2003)
06/04/2003	<u>126</u>	CJA 20 Appointing Counsel: Mark W. Bubak to represent defendant Ira Haley . Signed by Judge Joseph F. Bataillon on 6/4/2003. (MKR, ) (Entered: 06/04/2003)
01/29/2004	<u>129</u>	CJA 20 as to Ira Haley : Authorization to Pay Mark W. Bubak. Amount: \$ 277.67, Voucher # 030218000039. . Signed by Judge Joseph F. Bataillon on 1/29/2004. (MKR, ) (Entered: 01/30/2004)
04/15/2008	<u>134</u>	PETITION FOR OFFENDER UNDER SUPERVISION - Warrant Issued as to defendant Ira Haley. Ordered by Chief Judge Joseph F. Bataillon. (KBJ) (Entered: 04/15/2008)
04/15/2008	<u>135</u>	*SEALED* ARREST WARRANT ISSUED (COPY) in case as to defendant Ira Haley. (KBJ) (Entered: 04/15/2008)
04/16/2008	<u>136</u>	ORDER that all cases previously assigned to Magistrate Judge Jaudzemis are herewith reassigned to Magistrate Judge Gossett as to defendant Charlo Greene, Ira Haley, Demetrius Barker. Ordered by Judge Richard G. Kopf. (CJP) (Entered: 04/16/2008)

04/16/2008		(Court only) *** PETITION FOR OFFENDER UNDER SUPERVISION - Warrant Issued <u>134</u> REFERRED to Magistrate Judge F.A. Gossett. as to defendant Ira Haley (CJP) (Entered: 04/16/2008)
05/16/2008	<u>137</u>	Probation Jurisdiction Transferred to USDC-Northern District of California as to Ira Haley. ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment, amended judgment, and docket sheet as to defendant Ira Haley. Ordered by Chief Judge Joseph F. Bataillon.(KBJ) (Entered: 05/19/2008)
05/22/2008	<u>138</u>	Transmittal Letter to the USDC-Northern District of California enclosing certified copies of the Indictment 1 , Judgment and Commitment Order 92 , Amended Judgment and Commitment Order <u>117</u> , Transfer of Jurisdiction Order <u>137</u> and docket sheet as to defendant Ira Haley (KBJ) (Entered: 05/22/2008)
05/22/2008		(Court only) ***Terminate Motion and R&R Deadlines/Hearings regarding PETITION FOR OFFENDER UNDER SUPERVISION - Warrant Issued <u>134</u> as to defendant(s) Ira Haley (KBJ, ) (Entered: 05/22/2008)